

27-10-'04 10:35 從 WINSTON HSU, NO. 41526 8064986673

T-967 P01/08 U-112

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**NORTH AMERICA  
INTERNATIONAL PATENT OFFICE**

OCT 26 2004

#8

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e-mail:winstonhsu@naipo.com

**FAX TO: Technology Center**

**Fax: (703) 872-9306**

**FROM: Winston Hsu, PATENT AGENT, REG. NO. : 41,526**

**SERIAL NO.: 09/330,034**

**ATTORNEY DOCKET NO.: PMXP0074USA**

**SUBJECT: Petition to Withdraw Holding of  
Abandonment Under 37 CFR §1.181**

**TOTAL PAGES: 8 PAGES (INCLUDING COVER PAGE)**

**Winston Hsu 2004/10/27**

PMXP0074USA

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PTO/SB/97 (09-04)

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Date

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Alison Wu

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(1) A Transmittal Form	1 PAGE
(2) A Fee Transmittal Form	1 PAGE
(3) A Petition	2 PAGES
(4) A Copy of Patent Application Information Retrieval	1 PAGE
(5) A Copy of The Docket Record	1 PAGE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

09/330,034

Filing Date

06/11/1999

First Named Inventor

Min-Chen Hsu

Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket Number

PMXP0074USA

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. A Copy of Patent Application Information Retrieval 2. A Copy of The Docket Record
Remarks Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	North America Intellectual Property Corporation	
Signature	<i>Winston Hsu</i>	
Printed name	Winston Hsu	
Date	October 27, 2004	Reg. No. 41,526

## CERTIFICATE OF TRANSMISSION/MAILING

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Signature		
Typed or printed name	Date	

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# FEE TRANSMITTAL

## for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

## Complete If Known

Application Number	09/330,034
Filing Date	06/11/1999
First Named Inventor	Min-Chen Hsu
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	PMXP0074USA

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 50-3105 Deposit Account Name North America Intellectual Property Corp.				<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> </tr> <tr> <td>1051</td> <td>130</td> </tr> <tr> <td>2051</td> <td>65</td> </tr> <tr> <td>1052</td> <td>50</td> </tr> <tr> <td>2052</td> <td>25</td> </tr> <tr> <td>1053</td> <td>130</td> </tr> <tr> <td>1812</td> <td>2,520</td> </tr> <tr> <td>1812</td> <td>2,520</td> </tr> <tr> <td>1804</td> <td>820*</td> </tr> <tr> <td>1804</td> <td>820*</td> </tr> <tr> <td>1805</td> <td>1,840*</td> </tr> <tr> <td>1805</td> <td>1,840*</td> </tr> <tr> <td>1251</td> <td>110</td> </tr> <tr> <td>2251</td> <td>55</td> </tr> <tr> <td>1252</td> <td>430</td> </tr> <tr> <td>2252</td> <td>215</td> </tr> <tr> <td>1253</td> <td>980</td> </tr> <tr> <td>2253</td> <td>490</td> </tr> <tr> <td>1254</td> <td>1,530</td> </tr> <tr> <td>2254</td> <td>765</td> </tr> <tr> <td>1255</td> <td>2,080</td> </tr> <tr> <td>2255</td> <td>1,040</td> </tr> <tr> <td>1401</td> <td>340</td> </tr> <tr> <td>2401</td> <td>170</td> </tr> <tr> <td>1402</td> <td>340</td> </tr> <tr> <td>2402</td> <td>170</td> </tr> <tr> <td>1403</td> <td>300</td> </tr> <tr> <td>2403</td> <td>150</td> </tr> <tr> <td>1451</td> <td>1,610</td> </tr> <tr> <td>1451</td> <td>1,510</td> </tr> <tr> <td>1452</td> <td>110</td> </tr> <tr> <td>2452</td> <td>55</td> </tr> <tr> <td>1453</td> <td>1,330</td> </tr> <tr> <td>2453</td> <td>665</td> </tr> <tr> <td>1501</td> <td>1,370</td> </tr> <tr> <td>2501</td> <td>685</td> </tr> <tr> <td>1502</td> <td>490</td> </tr> <tr> <td>2502</td> <td>245</td> </tr> <tr> <td>1503</td> <td>660</td> </tr> <tr> <td>2503</td> <td>330</td> </tr> <tr> <td>1460</td> <td>130</td> </tr> <tr> <td>1460</td> <td>130</td> </tr> <tr> <td>1807</td> <td>50</td> </tr> <tr> <td>1807</td> <td>1807</td> </tr> <tr> <td>1808</td> <td>180</td> </tr> <tr> <td>1808</td> <td>180</td> </tr> <tr> <td>8021</td> <td>40</td> </tr> <tr> <td>8021</td> <td>40</td> </tr> <tr> <td>1809</td> <td>790</td> </tr> <tr> <td>2809</td> <td>385</td> </tr> <tr> <td>1810</td> <td>790</td> </tr> <tr> <td>2810</td> <td>395</td> </tr> <tr> <td>1801</td> <td>790</td> </tr> <tr> <td>2801</td> <td>385</td> </tr> <tr> <td>1802</td> <td>900</td> </tr> <tr> <td>1802</td> <td>900</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	1051	130	2051	65	1052	50	2052	25	1053	130	1812	2,520	1812	2,520	1804	820*	1804	820*	1805	1,840*	1805	1,840*	1251	110	2251	55	1252	430	2252	215	1253	980	2253	490	1254	1,530	2254	765	1255	2,080	2255	1,040	1401	340	2401	170	1402	340	2402	170	1403	300	2403	150	1451	1,610	1451	1,510	1452	110	2452	55	1453	1,330	2453	665	1501	1,370	2501	685	1502	490	2502	245	1503	660	2503	330	1460	130	1460	130	1807	50	1807	1807	1808	180	1808	180	8021	40	8021	40	1809	790	2809	385	1810	790	2810	395	1801	790	2801	385	1802	900	1802	900
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<b>FEES CALCULATION</b> <b>1. BASIC FILING FEE</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> </tr> <tr> <td>1001</td> <td>2001</td> </tr> <tr> <td>790</td> <td>395</td> </tr> <tr> <td>1002</td> <td>2002</td> </tr> <tr> <td>350</td> <td>175</td> </tr> <tr> <td>1003</td> <td>2003</td> </tr> <tr> <td>550</td> <td>275</td> </tr> <tr> <td>1004</td> <td>2004</td> </tr> <tr> <td>790</td> <td>395</td> </tr> <tr> <td>1005</td> <td>2005</td> </tr> <tr> <td>160</td> <td>80</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	1001	2001	790	395	1002	2002	350	175	1003	2003	550	275	1004	2004	790	395	1005	2005	160	80	<b>Fee Description</b> Fee Description Fee Paid																																																																																													
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<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>-20**</td> <td>=</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td>-3**</td> <td>=</td> <td></td> </tr> </tbody> </table>				Total Claims	Extra Claims	Fee from below	Fee Paid	Independent Claims	-20**	=		Multiple Dependent	-3**	=		<b>Fee Description</b> Fee Description Fee Paid																																																																																																									
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SUBMITTED BY				(Complete if applicable)	
Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526	Telephone	888-2-89237350
Signature	Winston Hsu			Date	October 27, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant: Min-Chen Hsu et al.

Examiner: Unknown

Filing Date: 06/11/1999

Art Unit: Unknown

App. No.: 09/330,034

Docket No.: PMXP0074USA

10 Title: SUPPORTING APPARATUS

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

15

Subject: Petition to Withdraw Holding of Abandonment Under 37 CFR  
1.181

Dear sir/Madam,

20

The following is a petition to withdraw holding of abandonment for the above-identified application under 37 CFR 1.181 as per MPEP 711.03 (c) ( I ).

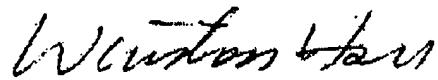
25 The applicant had a telephone interview with the officer in the OIPE at 09/10/2004 because the applicant didn't received the Filing Receipt since filing the above-identified application on 06/11/1999. The officer indicated that the present application had become abandoned.

30 However, a search of the file jacket and docket records attests to the fact that the applicant has not received any Office communication or action (including the Notice of Abandonment) since filing the present application on 06/11/1999 except a Notice of Recordation of Assignment Document mailed on 08/24/1999 (Appendix 1). On

09/20/2004, the USPTO's PAIR system was utilized to perform a check of the present application. But the applicant couldn't get any information from the USPTO's PAIR system (the screen message showed on Appendix 2). Accordingly, till now, the applicant still has no idea about "when" and "why" the present application was 5 abandoned.

Due to the above, and with regards to MPEP 711.03 (c) ( I ), the applicant respectfully requests that the holding of abandonment of the present application be withdrawn. Further, the applicant politely requests that a copy of said all Office 10 communications or actions missed by the applicant be remailed and that the period for reply to said all Office communications or actions be reset so that a proper response may be provided.

15 Respectfully submitted,



Date: October 27, 2004

Winston Hsu, Patent Agent No. 41,526

20 P.O. BOX 506  
Merrifield, VA 22116  
U.S.A.  
Facsimile: 806-498-6673  
e-mail : [winstonhsu@naipo.com](mailto:winstonhsu@naipo.com)

25 (Please contact me by e-mail if you need a telephone communication and I will return your call promptly.)

本所案號：PMX-P0074-05A 名稱：Upper Thigh Attachment

客戶案號: 651-215

國外案號：

專利案號: 09/330.034

申請日期：6/11/99 專利日期：

文件編號	日期	記錄人	項目	摘要
	99/1/8	林	From "!	複寫
	99/3/24	Sophie		claim 請賠償
	99/3/29	Winston		claim editing 1hr
	99/5/9	Sophie		電子郵件回覆
	99/5/20	Sophie		電子郵件稿
	5/20	林	To 廖志輝	確認內容
	6/1	林	To "	可送件 (提供資料)
	6/1	林	To PTC	送件
	9/20	自	From PTC	Recording information
	1/19	林	To 陳惠蘭	I.D. 5 通知單 (日期 1/18/00)
	2/21		To PTC	補充資料
	2/21/2/27	Caroline	To 陳惠蘭	確認內容
	3/11	Caroline	To 陳惠蘭	確認內容
	3/22	Caroline	To "	可送件 1/18 通知單 (提供資料)
	4/10/02	Melissa	To PTC	送 TDS

案件的每一個階段及相關文件的產生及出入均應詳實記載。



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[PAIR](#)

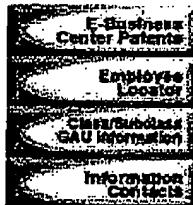
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that is not yet available for public inspection.

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